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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anthony C. Ross et al.

Title: Method of Treating an Intervertebral Disk

Docket No.: 044RE1

Filed: July 24, 2003

Examiner: Unknown

Serial No.: 10/627,553

Due Date: N/A

Group Art Unit: Unknown

MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

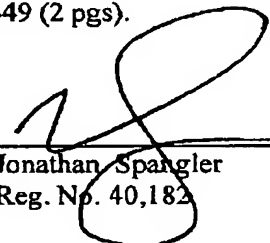
We are transmitting herewith the following attached items (as indicated with an "X"):

☒ A return postcard and this transmittal document.

☒ An Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs).

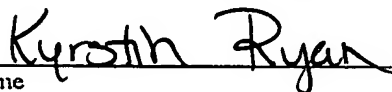
Customer Number: 30328

By

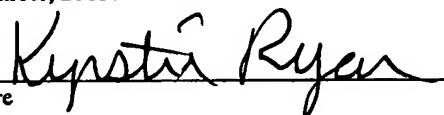

Jonathan Spangler
Reg. No. 40,182

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 28 day of September, 2005.

Name



Signature



(GENERAL)



S/N 10/627,553

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Anthony C. Ross et al.	Examiner:	Unknown
Serial No.:	10/627,553	Group Art Unit:	3732
Filed:	July 24, 2003	Docket:	044RE1
Title:	Method of Treating an Intervertebral Disk		

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the referenced materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 50-2040 in order to have this Information Disclosure Statement considered. The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided,

INFORMATION DISCLOSURE STATEMENT

Serial No :10/627,553

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Title: Method of Treating an Intervertebral Disk

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Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2)

Respectfully submitted,

ANTHONY C. ROSS ET AL.

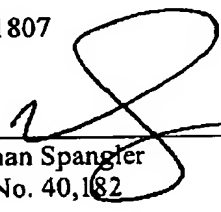
By their Representatives,

Customer Number: 30328

858-909-1807

Date 9-23-05

By


Jonathan Spangler
Reg. No. 40,182

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Name

Kyrstn Ryan

Signature

Kyrstn Ryan

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/627,553
Filing Date	July 24, 2003
First Named Inventor	Ross, Anthony
Group Art Unit	3732
Examiner Name	Unknown

Sheet 1 of 2

Attorney Docket No: 044RE1

US PATENT DOCUMENTS

Examiner Initial *	Cite No. *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-3,890,970	06/24/1975	Gullen	
		US-4,000,741	01/04/1977	Binard, et al.	
		US-4,265,618	05/05/1981	Herskovitz, et al.	
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		US-6,126,446	10/03/2000	Mannschedel, Werner	
		US-6,183,518	02/06/2001	Ross, et al.	
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		US-6,436,143	08/20/2002	Ross, et al.	
		US-6,554,830	04/29/2003	Chappius, James	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/627,553
Filing Date	July 24, 2003
First Named Inventor	Ross, Anthony
Group Art Unit	3732
Examiner Name	Unknown

Sheet 2 of 2

Attorney Docket No: 044RE1

		US-6,565,572	05/20/2003	Chappius, James	
		US-R,E35,391	12/03/1996	Brauman	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. *	Foreign Document No Country Code - Number - Kind Code (if known)	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
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OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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Filed: 9/28/05**EXAMINER****DATE CONSIDERED**